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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 005430

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SUBJECT: ELECTION COMMISSION SAYS: ELECTIONS SOON

REF: BANGKOK 5072 - THAI POL UPDATE: SCHISMS AND

UNCERTAINTIES

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Classified By: Political Counselor Susan M. Sutton, Reasons 1.4 (B) (D)

11. (C) SUMMARY. In a meeting with Deputy Secretary-General Prawing and Director Bunyakiat of the Election Commission of Thailand (ECT), they predicted that the October 15 election will not take place until the third week of November, at the earliest, due to the delay in new Election Commissioners (EC) selection. The two top-ranking ECT bureaucrats did not defend the actions of the former EC in the previous April 2 election, and admitted that the Thai people may lack confidence in the election process. They stipulated that though there may not be any technical problems in the upcoming elections, factors such as whether Thaksin will declare his intentions to be PM again and the PAD's reaction to it will complicate the process. They revealed that while the Constitutional Court is currently facing pressure to hand down a decision on whether the TRT and Democrat Party would be dissolved before the election, they do not believe this will take place because it would cause "too big of a mess." End summary.

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12. (SBU) PolCouns met with Deputy Secretary-General Prawing and Director Bunyakiat of the ECT on September 5, 2006 regarding the status of the upcoming elections currently scheduled for October 15 (Ref A). They confirmed that the schedule for the new election would likely be changed by the soon-to-be-selected Election Commissioners (EC). A special Senate session to select the new EC expected for September 8-11, and a new commission could be in place by mid-September. The two bureaucrats said that the re-election may be delayed for at least a month in order to meet all the administrative requirements. Prawing and Bunyakiat estimated that the new elections will have to be postponed until the third week of November, at the earliest. (Note: Time-sensitive logistics such as candidate registration and budget allocation cannot take place until the new EC is formed. End note.)

A CRISIS OF CONFIDENCE

13. (C) While speaking about the April 2 elections and the controversies that followed, the two bureaucrats made no

attempt to defend the actions of the old EC. They distinguished that the EC is responsible for interpreting the election laws and formulate policies while they, the administrative side, only carry out the policies and "oversee the everyday management of the elections." They admitted that some Thai may have lost faith in the election process because of what happened in the last election. Prawing and Bunyakiat agreed that this is why though they would like to see the new election held as soon as possible to address the current political impasse. At the same time, it would necessarily have to be delayed if it were to hold any legitimacy in the people's eyes.

COMPLICATING FACTORS

14. (C) Prawing and Bunyakiat indicated that, although they foresee no technical issues to become a problem, two factors may complicate the upcoming election: the question over whether caretaker PM Thaksin will announce his intentions to become prime minister again, and the People's Alliance for Democracy (PAD)'s reaction to Thaksin's decision. If Thaksin remains coy on his future plans, the PAD may ramp up anti-Thaksin activities leading up to the elections. When asked about the court cases to dissolve both the Thai-Rak-Thai (TRT) and Democrat Party for violating election laws in the April 2 election, the two ECT officials admitted that it would be a "major problem" if the parties were dissolved prior to the elections. Technically, it would not be difficult to handle, as the EC could just delay the elections to give the homeless party members time to join another party. (Note: Thai law demands that an individual must be a member of a party for at least 90 days before he or she can run on that party's ticket. End note.) However, they both reiterated that elections should be held soon for the sake of political and economic stability. They also revealed that there is currently "political pressure" on the

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Constitutional Court to hand down a decision on the party dissolution cases prior to the elections, but they concluded that this will not happen because it would create "too big of a mess" for the EC.

BOYCE